

E-FILED  
Anne Arundel Circuit Court  
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IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND  
CIVIL DIVISION

GRACIE AKINROLABU, Individually and :  
As Parent and Next Friend of D [REDACTED] A. :  
A [REDACTED], a minor :  
40 Memorial Highway, Apt. 2J :  
New Rochelle, NY 10801 :

Plaintiff, :

vs. : Civil No.: C-02-CV-16-002632

RUSSET KINDERCARE, and its affiliate entities :  
3504 Russet Common :  
Laurel, MD 20724 :

and :

KINDERCARE EDUCATION, LLC a/k/a :  
KNOWLEDGE UNIVERSE EDUCATION, :  
LLC, and its affiliate entities :  
1209 Orange Street :  
Wilmington, DE 19801 :

Serve: (Resident Agent) :  
The Corporation Trust, Inc. :  
351 West Camden Street :  
Baltimore, MD 21201 :

Defendants. :

**COMPLAINT AND JURY DEMAND**

Plaintiff Gracie Akinrolabu, Individually and as parent and next friend of D [REDACTED]  
A [REDACTED] a minor ("Plaintiff"), hereby brings this civil action against Defendant, Russet  
Kindercare, and its affiliate entities, and Knowledge Education, LLC a/k/a Knowledge Universe  
Education, LLC, and its affiliate entities (hereinafter referred to as "Defendants"), and for her  
cause of action states as follows:

**THE PARTIES**

1. Plaintiff Gracie Akinrolabu is the mother of D [REDACTED] A [REDACTED], who is a minor child. D [REDACTED]'s date of birth is XX/XX/[REDACTED].

2. Defendants conduct business in the State of Maryland and Anne Arundel County, where it operates preschools and/or child care centers.

3. At all times relevant, D [REDACTED] A [REDACTED] was a child that was enrolled at the Defendants' preschool and/or child care center located on Russet Common, in Laurel, Maryland.

**JURISDICTION**

4. The Circuit Court for Anne Arundel County, Maryland, has jurisdiction over this matter because the occurrence giving rise to this lawsuit occurred in Anne Arundel County, Maryland.

5. On or about August 23, 2013, Plaintiff D [REDACTED] A [REDACTED], a two year old boy, was at the Defendants child care center in Laurel, Maryland, when the Defendants' agents, servants or employees fed him food that he was allergic to, causing him to have an allergic reaction and suffer bodily injury.

6. At the time of the occurrence, Defendants' agents, servants or employees gave him cheese, dairy and other food which they knew or should have known he was allergic to.

7. The Defendants were made aware that D [REDACTED] had food allergies and had a duty to use reasonable care to avoid giving him food which they knew or should have known he was allergic to.

8. As a result of the occurrence, the minor child suffered bodily injury that has caused Plaintiff Gracie Akinrolabu to incur medical expenses. In addition, D [REDACTED] was caused to

suffer pain and discomfort, has permanent scarring or discoloration, and has suffered other non-economic damages.

**COUNT I – NEGLIGENCE**

9. Paragraphs 1-8 are hereby incorporated by reference and re-alleged as if fully restated herein.

10. At all times relevant, Defendants' servants, agents, contractors or employees, acted with the corporation's permission and/or authority and/or at their direction and/or as their agent, servant or employee.

11. At all times relevant, Defendants' servants, agents, contractors or employees were negligent in their acts or omissions as set forth above.

12. As a direct and proximate result of the negligence of the Defendants, by or through the acts or omissions of their servants, agents, contractors or employees as set forth above, D ■■■ A ■■■ suffered serious bodily injury, was caused to have medical treatment and his parents were caused to incur economic damages including medical expenses.

13. As a direct and proximate result of the negligence of the Defendants, by or through the acts or omissions of their servants, agents, contractors or employees as set forth above, D ■■■ A ■■■ suffered pain and discomfort, scarring or discoloration, emotional distress and other non-economic damages.

14. Defendants are vicariously liable for the actions or omissions of its servants, agents, contractors and employees, and/or liable under a doctrine of respondeat superior.

WHEREFORE, Plaintiff Gracie Akinrolabu, Individually and as parent and next friend of D ■■■ A ■■■, a minor, demands judgment against the Defendants as and for compensatory

damages in the amount of Seventy-Four Thousand Nine Hundred Ninety-Nine (\$74,999.00)

Dollars, plus the costs of these proceedings and interest.

Respectfully Submitted,

GOLDBERG & FINNEGAN, LLC

/s/

Kevin J. Finnegan  
8401 Colesville Road, Suite 630  
Silver Spring, Maryland 20910  
301-589-2999  
*Attorneys for Plaintiffs*

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a trial by jury on all issues raised herein.

/s/

Kevin J. Finnegan